

Introduced by Senator Hollingsworth

February 22, 2005

An act to add Section 1567.5 to the Health and Safety Code, relating to community care facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1034, as introduced, Hollingsworth. Community care facilities: wards of the juvenile court: county residency.

Existing law, the California Community Care Facilities Act, provides for the licensure and regulation of community care and residential facilities by the State Department of Social Services. Violation of the act is a crime. Existing law prohibits a licensed community care facility from receiving a ward of the juvenile court until the probation officer of the county in which the facility is located has received written notice of the placement. Existing law requires the probation officer of a county making an out-of-county placement of a ward of the juvenile court to notify the probation officer of the county in which the facility is located within 24 hours of receipt of the ward by the facility.

This bill would require at least $\frac{2}{3}$ of residents housed by a state-funded or state-reimbursed facility that serves wards of the juvenile court to be wards of the court of the county in which the facility is located. By changing the definition of a crime, this bill would impose a state-mandated local program. The bill would authorize up to $\frac{1}{3}$ of a facility's residents to be wards of a court of a county other than the county in which the facility is located.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1567.5 is added to the Health and Safety
2 Code, to read:
3 1567.5. At least $\frac{2}{3}$ of residents housed by a state-funded or
4 state-reimbursed licensed community care facility that serves
5 wards of the juvenile court shall be wards of the juvenile court of
6 the county in which the facility is located. Up to $\frac{1}{3}$ of residents
7 may be wards of the juvenile court of a county other than the
8 county in which the facility is located.
9 SEC. 2. No reimbursement is required by this act pursuant to
10 Section 6 of Article XIII B of the California Constitution because
11 the only costs that may be incurred by a local agency or school
12 district will be incurred because this act creates a new crime or
13 infraction, eliminates a crime or infraction, or changes the
14 penalty for a crime or infraction, within the meaning of Section
15 17556 of the Government Code, or changes the definition of a
16 crime within the meaning of Section 6 of Article XIII B of the
17 California Constitution.